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**SOAH DOCKET NO. 473-21-0538
DOCKET NO. 51415**

**APPLICATION OF SOUTHWESTERN § BEFORE THE STATE OFFICE
ELECTRIC POWER COMPANY FOR § OF
AUTHORITY TO CHANGE RATES § ADMINISTRATIVE HEARINGS**

SOUTHWESTERN ELECTRIC POWER COMPANY'S PRIVILEGE INDEX

Southwestern Electric Power Company (SWEPCO) provides the attached privilege index, marked as Exhibit A, prepared in accordance with 16 Tex. Admin. Code (TAC) § 22.144(d)(2) for privileged information that is responsive to Request for Information (RFI) No. 1-18 in the First Set of RFIs from Texas Industrial Energy Consumers (TIEC). Pursuant to an agreement with counsel for TIEC, this index is timely filed.

To date, SWEPCO has not identified any privileged documents other than the materials identified on the attached privilege index. SWEPCO understands that it is under a continuing obligation to supplement discovery responses. If SWEPCO identifies any additional privileged documents, it will provide a supplemental privilege index at that time.

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By: /s/ Patrick Pearsall
Patrick Pearsall

**ATTORNEYS FOR SOUTHWESTERN
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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on November 12, 2020, in accordance with the Second Order Suspending Rules issued in Project No. 50664 and Order No. 1 in this matter.

/s/ Patrick Pearsall
Patrick Pearsall

Privilege Index for TIEC Request No. 1-18 (Docket No. 51415)

	Bates Page No.	RFI No. Responsiveness	Subject/Title (Date)	Author	Recipient(s)	Description	Privilege Claimed
1	1-12	TIEC 1-18	FW: Dolet Hills and Oxbow Mine Draft Results Presentation – Confidential Attorney Client Privileged (04/15/2019 1:38 pm)	Bobby Gilliam (SWEPCO outside counsel)	Malcolm Smoak (SWEPCO President); Tom Brice (SWEPCO VP Regulatory & Finance); Dan Lee (SVP Fossil & Hydro Generation); Franklin Pifer (VP Projects Controls & Construction); Brian Bond (VP External Affairs); Jonathan McCartney (Outside Counsel); John Crespo (Deputy General Counsel)	Email and attachment concerning preliminary, draft Dolet Hills analysis. This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the materials transmitted with the communication were prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.	Attorney-client privilege; Attorney work product
2	13-15	TIEC 1-18	FW: Request for Analysis for Dolet Hills Litigation (12/06/2019 10:14 am)	Mark Becker (Resource Planning Manager)	John Crespo; John Torpey (Managing Director – Resource Planning and Operational Performance); David Roush (Managing Direct Regulatory Pricing & Analysis); Matthew Satterwhite (VP Regulatory Services); Bill Allen (Managing Director Regulatory Case Management); Kevin Brady (VP Regulated Generation Development)	Email chain discussing request from counsel for analysis to assist in developing potential legal strategies regarding Dolet Hills. This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the analysis discussed was prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.	Attorney-client privilege; Attorney work product
3	16-19	TIEC 1-18	RE: Request for Analysis for Dolet Hills Litigation (12/10/2019 3:02 pm)	John Crespo	Mark Becker; John Torpey	Email thread includes discussion concerning request from counsel for analysis to assist in developing potential legal strategies regarding Dolet Hills.	Attorney-client privilege; Attorney work product

	Bates Page No.	RFI No. Responsiveness	Subject/Title (Date)	Author	Recipient(s)	Description	Privilege Claimed
						<p>This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the analysis discussed was prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.</p> <p>Email thread discussing and transmitting attachments concerning request from counsel for analysis to assist in developing potential legal strategies regarding Dolet Hills.</p>	
4	20-36	TIEC 1-18	RE: Request for Analysis for Dolet Hills Litigation 12/10/2019 2:59 pm	Mark Becker	John Crespo; John Torpey	<p>This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the materials transmitted with the communication were prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.</p> <p>Email thread discussing request from counsel for analysis to assist in developing potential legal strategies regarding Dolet Hills.</p>	Attorney-client privilege; Attorney work product
5	37-40	TIEC 1-18	RE: Request for Analysis for Dolet Hills Litigation (12/10/2019 3:04 pm)	Mark Becker	John Crespo; John Torpey	<p>This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services.</p>	Attorney-client privilege; Attorney work product

	Bates Page No.	RFI No. Responsiveness	Subject/Title (Date)	Author	Recipient(s)	Description	Privilege Claimed
6	41-44	TIEC 1-18	RE: Request for Analysis for Dolet Hills Litigation (12/10/2019 3:04 pm)	John Torpey	John Crespo; Mark Becker	<p>Further, the analysis discussed was prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.</p> <p>Email thread discussing request from counsel for analysis to assist in developing potential legal strategies regarding Dolet Hills.</p> <p>This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the analysis discussed was prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.</p>	Attorney-client privilege; Attorney work product
7	45-48	TIEC 1-18	RE: Request for Analysis for Dolet Hills Litigation (12/10/2019 3:16 pm)	Mark Becker	John Crespo; John Torpey	<p>Email thread discussing request from counsel for analysis to assist in developing potential legal strategies regarding Dolet Hills.</p> <p>This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the analysis discussed was prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.</p>	Attorney-client privilege; Attorney work product
8	49-153	TIEC 1-18	RE: Request for Analysis for Dolet Hills Litigation	Mark Becker	John C. Crespo; John F. Torpey; David M. Roush; Matthew	<p>Email thread discussing and transmitting attachments regarding request from counsel</p>	Attorney-client privilege;

	Bates Page No.	RFI No. Responsiveness	Subject/Title (Date)	Author	Recipient(s)	Description	Privilege Claimed
			(01/07/2020 9:45 am)		Satterwhite; Bill Allen; Dan Lee; Kevin T. Brady	for analysis to assist in developing potential legal strategies regarding Dolet Hills.	Attorney work product
						This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the materials transmitted with the communication were prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.	
9	154-156	TIEC 1-18	RE: Request for Analysis for Dolet Hills Litigation (01/01/2020 11:04 am)	Brian Bond	John Crespo; Tom Brice	Email thread discussing request from counsel for analysis to assist in developing potential legal strategies regarding Dolet Hills.	Attorney-client privilege; Attorney work product
						This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the analysis discussed was prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.	
10	157-166	TIEC 1-18	Dolet Hills Analysis Information Request – Attorney Client Privileged (12/11/2019 9:10 am)	Mark Becker	Franklin Pifer; John C. Crespo; John F. Torpey; Tom Brice JR	Email transmitting attachments and seeking assistance in developing analysis requested by counsel to assist in developing potential legal strategies regarding Dolet Hills.	Attorney-client privilege; Attorney work product

	Bates Page No.	RFI No. Responsiveness	Subject/Title (Date)	Author	Recipient(s)	Description	Privilege Claimed
						This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the materials transmitted with the communication were prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.	
11	167-169	TIEC 1-18	RE: Dolet Hills Analysis Information Request - Attorney Client Privileged (12/13/19 10:11 am)	James E. Bass Jr.(SWEPCO Budget Analyst)	Franklin Pifer; Mark Becker; Lee C. McGuire (Manager – Planning & Analysis Mining Ops); Bobby Gilliam; Curtis L. Lightle (Mine Manager); John C. Crespo; John F. Torpey; Tom Brice	Email transmitting attachment and seeking assistance in developing analysis requested by counsel to assist in developing potential legal strategies regarding Dolet Hills	Attorney-client privilege; Attorney work product
						This was a confidential communication between SWEPCO or its representatives and counsel made to facilitate the rendition of legal services. Further, the materials transmitted with the communication were prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.	
12	170-171	TIEC 1-18	Dolet Hills Lignite Executive Committee Meeting (Privileged and Confidential) (1/17/2020 3:26 PM)	Brian Bond	Malcolm Smoak; Lisa Barton (Executive VP Utilities); Paul Chodak (Executive VP Generation); John Crespo; Dan Lee; Tom Brice	Email discussing regulatory and legal strategy regarding ongoing and future operations of Dolet Hills Power Station. This was a confidential communication between SWEPCO or its representatives	Attorney Client Privilege; Attorney work product

.	Bates Page No.	RFI No. Responsiveness	Subject/Title (Date)	Author	Recipient(s)	Description	Privilege Claimed
						and counsel made to facilitate the rendition of legal services. Further, the analysis discussed was prepared under the direction of an attorney in anticipation of litigating issues in future regulatory proceedings.	